IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 4329 of 1996

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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GUJARAT JAIL DEPARTMENT ASSO. OF CLASS-III EMPLOYEES - Petitioner(s)

Versus

STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :

MR MUKESH B DAVE for Petitioner(s) : 1,
MR DIPEN DESAI, ASST. GOVERNMENT PLEADER for Respondent(s) : 1 - 3.

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 14/02/2007

ORAL JUDGMENT

1. By way of this petition under Article 226 of the Constitution of India, the petitioner association has prayed for an appropriate order

directing the respondents to revise the pay scale and to remove the anomaly in the pay scale.

2. Today, when the matter is called out, Shri Dipen Desai, learned AGP has submitted that the dispute which has been raised in the present petition was referred to the Pay Anomaly Committee and in turn the Pay Anomaly Committee has submitted its report to the Sub-Committee and the Sub-Committee has also considered the same and the report is at present with the State Government for its consideration.

3. In other group of petitions, this Court directed the State Government to take an appropriate decision with regard to the alleged anomaly in the pay scale. Accordingly, the present Special Civil Application is disposed of at this stage and the State Government is directed to consider the report submitted by the Pay Anomaly Committee as well as Sub-Committee and take an appropriate decision with regard to the pay

anomaly and on all other questions, which have been raised in the present Special Civil Application, as early as possible but not later than 3 months from the date of receipt of this order. The State Government to communicate the decision to the petitioner within a period of 15 days thereafter. The State Government and the concerned departments are directed to strictly comply with the above directions. It is, however, made clear that this Court has not expressed any opinion on the merits in favour of either parties. It goes without saying that if any adverse decision is taken, it will be open for the petitioner to challenge the same by way of appropriate proceedings.

4. With these, the present petition is disposed of. Rule discharged. No costs.

Direct Service is permitted.

[M.R.Shah, J.]

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